

Page 8

Remarks

This is filed as a follow-up to the Examiner Interview conducted February 2, 2005. The claims are amended as discussed at Interview for clarity and remain free of the art of record.

Interview Summary

The interview was conducted telephonically. Present were co-inventor Dr. Richard Thornton, Examiner Mullins and the undersigned. The parties discussed differences between the claims and art of record, for example, insofar as failure of the art to teach or suggest magnetic structures that provide the effects recited in each of the independent claims (e.g., providing attractive forces, lateral restorative forces, and longitudinal forces).

The claims are amended as generally agreed at Interview to clarify that all three such effects are achieved by at least one of the magnet arrays. The claims that previously recited superconducting magnets are amended to refer to both superconducting and permanent magnets. No new matter is amended.

Claims 14 - 16 are further amended as discussed at Interview to recite that the restorative force is sufficiently strong to allow negotiating turns or resisting lateral wind force. Again, no new matter is added. Support for this is provided in the specification as filed at page 13, last two lines.

As agreed at Interview, the claims are free of the art of record. Pending the Examiner's further search, this application is understood to be in condition for allowance.

Respectfully submitted,
NUTTER, MCLENNEN & FISH, LLP



David J. Powsner
Reg. No. 31,868

Attorney for Applicant
World Trade Center West
155 Seaport Boulevard
Boston, MA 02210
Tel: (617)439-2717
Fax: (617)310-9717